



<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	09/993,501
	<i>Filing Date</i>	27 November 2001
	<i>First Named Inventor</i>	Norman G. ANDERSON
	<i>Group Art Unit</i>	1634
	<i>Examiner Name</i>	Frank Wei Min Lu
	<i>Attorney Docket No.</i>	2316-149
<i>Title of the Invention:</i> <b>DETECTION AND CHARACTERIZATION OF MICROORGANISMS</b>		

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9/12/02

**RESPONSE TO RESTRICTION REQUIREMENT**

**RECEIVED**

Assistant Commissioner for Patents  
Washington, D.C. 20231

SEP 11 2002

TECH CENTER 1600/2900

Dear Sir:


In response to the Office Action mailed August 13, 2002, the Applicant elects Group I, claims 1 through 6, with traverse. Reconsideration of the Election/Restriction is respectfully requested.

**REMARKS**

Claims 1 through 12 are pending in this application. It is submitted that all of the claims should be examined together because, as the Office Action makes clear, all of the claims are classified together in Class 435, Subclass 7.2. Plus, all of the claims in Group II are dependent on claim 1, so Group II will be allowable if claim 1 is allowed. Further, a search of the claims of Group II is integral to a search of the claims of Group I, since the two groups differ only in the step of comparing the data to known microorganism data. Searching the claims of one group involves inherently searching the claims of the other group and thus the consideration of these claims together ought to be no undue burden. It is thus inappropriate to restrict the pending claims into two groups.

Withdrawal of the restriction requirement is earnestly solicited.

**RESPECTFULLY SUBMITTED,**

<b>NAME AND REG. NUMBER</b>	Thomas E. McKiernan, Registration No. 37,889				
<b>SIGNATURE</b>				<b>DATE</b>	September 10, 2002
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